

Bureau of Internal Affairs
Investigations Division
General Investigations Section

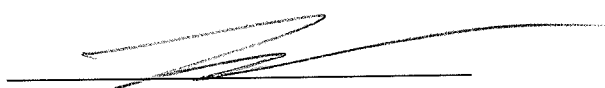
25 January 2012
CL No. 1049271

TO: Commanding Officer
Bureau of Internal Affairs
Investigations Division
General Investigations Section

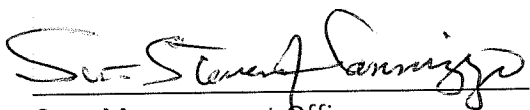
FROM: Police Officer Luis F. ALEJO, 10381
Bureau of Internal Affairs
Investigations Division
General Investigations Section

SUBJECT: Approval of Complaint Log Investigation 1049271

The attached Complaint Log Investigation has been completed and is submitted for your approval.


P.O. Luis ALEJO #10381
Bureau of Internal Affairs
Investigations Division
General Investigations Section

APPROVED:


Case Management Officer
Bureau of Internal Affairs
Investigations Division
General Investigations Section

2493
26 JAN 2012

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1049271TYPE
CRDATE OF REPORT
25-JAN-2012

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
ALEJO, LUIS	9161	10381		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: [REDACTED]	DATE / TIME:13-OCT-2011 12:10	BEAT: 233
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
JOHNSON, EDWARD	9161	9539		009	211	M / WHI			YES	YES
MURPHY, WILLIAM T	9161	6066		005	189	M / WHI			YES	YES
SCHUMPP, TIMOTHY J	9161	9207		022	189	M / WHI			YES	YES
CRISP, JERRY G	9161	12580		009	211	M / WHI			YES	YES
DAVIS, JAMES A	9161	13462		002	211	M / BLK			YES	YES
MC DONOUGH, PATRICK	9161	14416		189		M / WHI			YES	YES
GUTKOWSKI, MARK W	9161	16228		189		M / WHI			YES	YES
O MALLEY, GERALD M	9161	17187		189		M / WHI			YES	YES
MARTINEZ, SERGIO	9161	19512		006	189	M / S			YES	YES
WEATHERSPOON, CARL M	9161	4630		002	211	M / BLK			YES	YES
MATTHEWS, TAMARA A	9161	4640		004	189	F / BLK			YES	YES
WOODSON III, HENRY A	9161	11815		002		M / BLK			YES	YES
MARTIN, SEAN M	9171	1662		004	189	M / WHI			YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M / BLK	[REDACTED] / 66

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M / BLK	[REDACTED] / 66

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENT

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INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

ALLEGATIONS

See Attached For Allegations

SUMMARY

See Attached For Summary

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
10 and 24	5 thru 25	0	25

FINDINGS - RECOMMENDATIONS

See Attached For Findings and Recommendations

DATE INITIATED
(Date incident was received for investigation)

18-OCT-2011

DATE COMPLETED (Date of this report)

25-JAN-2012

ELAPSED TIME
(Total time expressed in days)

99

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CPD 0006715

Internal Affairs Division
CL#1049271

#1. The complainant, [REDACTED] alleges that on 13 October 2011, at [REDACTED] [REDACTED]; accused Chicago Police Officers executed search warrant [REDACTED] took 12-14 codeine pills and failed to return or inventory them.

As a result of the complaint filed by [REDACTED] this investigator gathered documents germane to this investigation and conducted interviews of all cooperating parties involved in order to obtain an accurate account of the search warrant that was executed on 13 October 2011, 1230 hours, at [REDACTED]. The accused and witnesses were identified from [REDACTED] [REDACTED] [REDACTED] [REDACTED]; and Search Warrant [REDACTED]. The aforementioned documents, along with all the attachments contained in this investigative file prove that the accused department members served a valid search warrant [REDACTED], followed Chicago Police Department procedure; and as a result, their actions were all justified. However, as evidenced by this investigation, one will conclude that the allegation filed by the complainant is Not Sustained due to the dearth of any evidence proving or disproving that a member(s) of the Chicago Police Department or [REDACTED] family members took [REDACTED] prescribed codeine pills.

It is important to note that according to the search warrant data sheet for search warrant [REDACTED] thirteen (13) law enforcement officers were listed as executing this search warrant at [REDACTED]. This investigation has uncovered that only twelve (12) out of the thirteen (13) listed Chicago Police Department members were responsible for breaching [REDACTED] and conducting a systematic search of the premise. The remaining Chicago Police Department member executed search warrant [REDACTED] a rear perimeter security guard officer; he did not participate in the search of the residence. This rear perimeter security guard member is identified as: P.O. Henry WOODSON III #1815, currently assigned to Unit 002 (Attachments #5 and #19). Owing to the fact that this accused department members did not actively participate in either the breach or search of [REDACTED], we can unfound the allegation against him.

According to the Original Case Incident Report [REDACTED] attachment #6), on 13 October 2011, Chicago Police Officers found the rear door open, announced their office and made entry into [REDACTED] with a legally valid search warrant, [REDACTED] Upon entering [REDACTED], members of the Chicago Police Department detained all persons present, including target [REDACTED] Once the residence was secured, a systematic search for contraband was conducted. [REDACTED] [REDACTED] was cooperative and identified his bedroom which is where the contraband

was located. Chicago Police Department members ensured that all contraband that was found was inventoried with their respective recovery locations and documented on reports. Members of the Chicago Police Department then transported [REDACTED] [REDACTED] Homan square where he was processed and the contraband recovered was inventoried. It should be noted that while at Homan square, [REDACTED] stated that he buys and sells ecstasy pills; throwing in the ecstasy suckers as a bonus to customers.

The following is an abridged list of what was recovered from the residence of [REDACTED] Thirty (30) various flavored colored suckers containing ecstasy, recovered by P.O. JOHNSON #9539, and inventoried under [REDACTED] Seventeen (17) various colored and shaped ecstasy pills, recovered by P.O. JOHNSON #9539, and inventoried under [REDACTED] Eight (8) zip lock packets of cannabis, recovered by P.O. JOHNSON #9539, and inventoried under [REDACTED] Narcotic packaging, including a digital scale, recovered by P.O. JOHNSON #9539, and inventoried under [REDACTED] And three (3) live .32 caliber rounds, recovered by P.O. JOHNSON #9539, and inventoried under [REDACTED] The aforementioned proves that the accused members of the Chicago Police Department followed Chicago Police Department procedure by documenting the location of recovery and inventorying the contraband found at [REDACTED] residence (Attachments #6 thru #8).

Despite the illegal items that were seized from [REDACTED] home, on 13 October 2011, [REDACTED] arrived at Internal Affairs, signed a sworn affidavit and gave his statement to this investigator. It should be noted that after his initial statement, [REDACTED] has, to this day been unable to provide any evidence or witnesses to support his allegation.

[REDACTED] statement (Attachment #10) to this investigator contained the following points of information:

- [REDACTED] stated he rents a room from the lease holder, [REDACTED] who is a common law wife (Page 2, Line 28 thru 34).
- [REDACTED] told this investigator that [REDACTED], [REDACTED] and [REDACTED] s fiancée, [REDACTED] live with him at [REDACTED] (Page 3, Line 16).
- [REDACTED] stated he stores his medication on top of two totes (Page 3, Line 40).

- [REDACTED] related that when he returned to his room, some of his medication was thrown on the floor and when he gathered everything he found, he then noticed that his codeine pills were missing (Page 4, Line 8).
- [REDACTED] stated he could not identify nor did he see any Chicago Police Department member take his medication (Page 4, Line 25).
- [REDACTED] submits prescriptions proving he had medication/codeine pills given to him for his medical condition (Pages 4, Lines 34).
- [REDACTED] acknowledges that [REDACTED] [REDACTED] used to buy weed (Pages 5, Lines 12).
- [REDACTED] told R/I that he never saw a Chicago Police Department member take his pills and knows that it was possible that his pills were inventoried along with the ecstasy pills found at his residence (Page 9, Lines 7 thru 13).
- All recovered contraband was listed in reports as well as the documentation of the location of recovery (Page 7 & 8).

As evidenced by the above, [REDACTED] did not witness nor did he supply evidence that members of the Chicago Police Department took his codeine pills. However, [REDACTED] did provide prescriptions for the medication he alleged is missing (Attachment #10). Combine this, with [REDACTED] telling this investigator that his medication was being stored on top of two totes; which was corroborated by a Chicago Police Department search warrant picture (Attachment #24) and one can not deny that there were prescription pills, white in color, that were in the room when the warrant was executed. However, [REDACTED] fails to provide evidence to support anything but the existence of his medication. Medication that according to reports generated by all accused Chicago Police Department members, they did not observe, take, or inventory.

Statements given by all law enforcement personnel interviewed (Attachments 12 thru 23), corroborate that a lawful entry was made to [REDACTED]. All accused Chicago Police Department members denied taking, inventorying or observing anyone take or inventory 12-14 codeine pills. Department documents confirm that no codeine

pills were inventoried and sent for analysis (Attachment #11). More to the point, all accused members reported that if they had been aware of any violation of department rules or regulation, they would have documented the violations. The dearth of documentation from these members; coupled with the lack of documentation from the complainant; leads one to conclude that there were no violations to Department procedure or policy. The evidence supports the fact that members of the Chicago Police Department conducted themselves in accordance with Department procedure and policy.

In closing, [REDACTED] allegation is lacking any evidence to suggest that members of the Chicago Police Department took those pills. This is bolstered by [REDACTED] who admits that it was possible that members of the Chicago Police Department could have inventoried his medication and if that is a possibility, then it is also possible that [REDACTED]' family or [REDACTED] himself were simple unable to locate all the medication that [REDACTED] said he found on the floor. Given this uncertainty and the lack of any evidence to prove or disprove that any member of the Chicago Police Department or any member of the [REDACTED] family misplaced or took 12 to 14 codeine pills, one can only conclude that this investigation should be closed as Not Sustained.

Based upon all documents and information contained in this investigative file, there is no evidence to prove or disprove the allegation lodged against the eight (8) members of Unit 189, the four (4) members of Unit 211, and the sole member of 002 District; hence a finding of Not Sustained is warranted for this investigation as a whole. The individual allegations and their respective determinations are enumerated in the Findings section of the report.

FINDINGS:

Accused #1: P.O. Edward JOHNSON#9539; Unit 211
Allegation #1: Not Sustained

Accused #2: P.O. William MURPHY #6066; Unit 189
Allegation #1: Not Sustained

Accused #3: P.O. Timothy SCHUMPP #9207; Unit 189
Allegation #1: Not Sustained

Accused #4: P.O. Jerry CRISP #12580; Unit 211
Allegation #1: Not Sustained

Bureau of Professional Standards

General Investigations Section

Summary:

Internal Affairs Division

CL#1049271

FINDINGS Continued:

Accused #5: P.O. James DAVIS #13462; Unit 211

Allegation #1: Not Sustained

Accused #6: P.O. Patrick MC DONOUGH #14416; Unit 189

Allegation #1: Not Sustained

Accused #7: P.O. Mark GUTKOWSKI #16228; Unit 189

Allegation #1: Not Sustained

Accused #8: P.O. Gerald O MALLEY #17187; Unit 189

Allegation #1: Not Sustained

Accused #9: P.O. Sergio MARTINEZ #19512; Unit 189

Allegation #1: Not Sustained

Accused #10: P.O. Carl WEATHERSPOON; Unit 211

Allegation #1: Unfounded

Accused #11: P.O. Tamara MATTHEWS #4640; Unit 189

Allegation #1: Not Sustained

Accused #12: P.O. Henry WOODSON #11815; Unit 002

Allegation #1: Not Sustained

Accused #13: Sgt. Sean MARTIN #1662; Unit 189

Allegation #1: Not Sustained

RECOMMENDATION:

None, there is no disciplinary action warranted; case to be filed.

Bureau of Internal Affairs
Investigations Division
General Investigations Section

25 January 2012
CL No. 1049271

Attachments

No	Type	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Inclusion?
1	FACE SHEET				TOUSANT, LISA	13-OCT-2011 13:51		
2	CONFLICT CERTIFICATION				ALEJO, LUIS	18-OCT-2011 09:48		
3	SWORN AFFIDAVIT FROM COMPLAINANT	1	[REDACTED] Swrn Affidavit	YES	ALEJO, LUIS	26-OCT-2011 10:06	APPROVED	YES
4	ATTEMPT TO CONTACT	5	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:06	APPROVED	YES
5	SEARCH WARRANT	8	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:07	APPROVED	YES
6	GENERAL OFFENSE CASE REPORT	3	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:08	APPROVED	YES
7	INVENTORY SHEET	8	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:08	APPROVED	YES
8	ARREST REPORT	5	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:10	APPROVED	YES
9	ARREST HISTORY	4	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:10	APPROVED	YES
10	COMPLAINANT STATEMENT ILLINOIS STATE POLICE	15	[REDACTED]	YES	ALEJO, LUIS	26-OCT-2011 10:11	APPROVED	YES
11	FORENSIC SCIENCE CENTER (REPORT)	4	[REDACTED] Lab Rprt	YES	ALEJO, LUIS	30-NOV-2011 11:52	APPROVED	YES
12	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN-2012 13:01	APPROVED	YES
13	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN-2012 13:01	APPROVED	YES
14	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN-2012 13:02	APPROVED	YES

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15	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:02	APPROV ED	YES
16	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:03	APPROV ED	YES
17	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:07	APPROV ED	YES
18	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:08	APPROV ED	YES
19	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:09	APPROV ED	YES
20	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:09	APPROV ED	YES
21	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:10	APPROV ED	YES
22	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:10	APPROV ED	YES
23	ACCUSED REPORT	1	[REDACTED]	YES	ALEJO, LUIS	10-JAN- 2012 13:10	APPROV ED	YES
24	PHOTOGRAP H	1	[REDACTED]	YES	ALEJO, LUIS	23-JAN- 2012 12:20	APPROV ED	YES
25	PHOTOGRAP H	1	[REDACTED]	YES	ALEJO, LUIS	23-JAN- 2012 12:20	APPROV ED	YES